

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 SCSE-00 PPTE-00 SCA-01 L-02 H-02 RSC-01

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P R 231400Z OCT 74

FM AMCONSUL JERUSALEM

TO SECSTATE WASHDC PRIORITY 6179

INFO AMEMBASSY TEL AVIV

UNCLAS JERUSALEM 1856

E. O. 11652: N/A

TAGS: CASC

SUBJ: ALLEGED EXPULSION OF ESMEIL AYAD

REF: STATE 212696

1. AYAD, WIFE, AND CHILDREN CURRENTLY RESIDENT IN BEIT HANINA, JERUSALEM. AYAD OWNS ONE HOUSE AND 100 DUNAMS (ROUGHLY 25 ACRES) OF LAND. THEY ARRIVED IN JERUSALEM IN JULY, 1973 ON VISITORS' VISAS VALID FOR THREE MONTHS FROM DATE OF ENTRY. AYAD HIMSELF SUBSEQUENTLY DEPARTED ON JUNE 17, 1974 AND REENTERED AT BEN GURION INTERNATIONAL AIRPORT ON SEPT 4, 1974 WITH SECOND VISITORS' VISA FOR THREE MONTHS. WIFE AND CHILDREN HAVE BEEN CONTINUOUSLY PRESENT SINCE THEIR INITIAL ENTRY, ALTHOUGH THEIR VISITORS' VISAS HAVE EXPIRED. AYAD AND FAMILY APPLIED THROUGH LOCAL LAWYER FOR PERMANENT RESIDENT STATUS APPROXIMATELY ONE YEAR AGO. LAWYER STATED APPLICATION WAS DENIED AND GOI GAVE NO REASON AT THAT TIME FOR DENIAL.

2. GOI HAS GRANTED PERMISSION FOR AYAD AND FAMILY TO REMAIN UNTIL HIS PRESENT VISA, VALID UNTIL DEC 4, 1974, EXPIRES. MINISTRY OF THE INTERIOR HAS REFUSED TO RETURN WIFE'S PERMIT OR CHILDREN'S U.S. PASSPORTS UNTIL FAMILY MAKES FINAL ARRANGEMENTS TO LEAVE, OR UNTIL SUBJECT'S U.S. PASSPORT IS MARKED BY THEM WITH NOTATION HE AND FAMILY MUST LEAVE BY DEC 4 AND FURTHER VISA EXTENSIONS NOT ALLOWABLE. CONSULATE HAS ADVISED AYAD NOT TO HAVE PASSPORT SO MARKED FOR THE PRESENT TIME.

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3. OSTENSIBLE GROUNDS FOR EXPULSION ARE THAT AYAD FAMILY HAS OVERSTAYED VISITORS' VISAS. GOVERNMENT OF ISRAEL DOES NOT NORMALLY GRANT PROLONGED VISA EXTENSION OR PERMANENT RESIDENT STATUS TO PREVIOUS ARAB RESIDENTS OF WEST BANK AND JERUSALEM WHO RETURNED AFTER SIX DAY WAR, AND REQUIRES THEM TO DEPART UPON EXPIRATION OF ORIGINAL VISA. CONSULATE GENERAL DOES NOT THEREFORE CONSIDER THAT AYADS ARE BEING TREATED IN DISCRIMINATORY MANNER, LEAVING ASIDE QUESTION OF JUSTICE OF ISRAELI POLICY ON THIS SUBJECT.

4. CONSULATE GENERAL HAS ADVISED LAWYER TO MAKE SECOND APPLICATION FOR PERMANENT RESIDENT STATUS ON BEHALF OF AYAD AND FAMILY. CONSULAR OFFICER PLANS TO DISCUSS CASE AGAIN WITH LAWYER INF FEW DAYS TIME.

5. BY RECORD OF PREVIOUS CASES, GOI UNLIKELY TO CHANGE STAND WITHOUT INTERVENTION OF CONSULATE GENERAL OR EMBASSY TEL AVIV, WE ARE IN TOUCH WITH LOCAL INTERIOR MINISTRY CONTACT ABOUT RETURN OF FAMILY'S PASSPORTS, AND WILL TAKE OPPORTUNITY TO EXPRESS INFORMALLY CONGEN'S INTEREST IN CASE.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 23 OCT 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ACTION NEA  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 212696  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** schwenja  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 15 JUN 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** WITHDRAWN <19 MAR 2002 by chappeld, INA>; RELEASED <11 FEB 2003 by CollinP0>; APPROVED <11 FEB 2003 by CollinP0>; WITHDRAWN <13 Jun 2005 by BoyleJA, PRIVACY>; RELEASED <15 JUN 2005 by bryantcd>; APPROVED <15 JUN 2005 by schwenja>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ALLEGED EXPULSION OF ESMEIL AYAD  
**TAGS:** CASC, (AYAD, ESMEIL)  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005